

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 382 Session of  
1993

INTRODUCED BY CARONE, FAIRCHILD, STEIGHNER, HALUSKA, LaGROTTA,  
B. SMITH, FARGO, STEELMAN, BUTKOVITZ AND JOSEPHS,  
FEBRUARY 10, 1993

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 10, 1993

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania  
2 Consolidated Statutes, requiring electric utilities to  
3 provide compensation to certain owners of property near high  
4 voltage electric transmission lines; and providing for a  
5 public health survey of the population near high voltage  
6 transmission lines.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Title 66 of the Pennsylvania Consolidated  
10 Statutes is amended by adding a chapter to read:

11 CHAPTER 28

12 ELECTRIC UTILITIES

13 Sec.

14 2801. Declaration of policy.

15 2802. Definitions.

16 2803. Tax payments.

17 2804. Property purchase program.

18 2805. Public health survey.

19 2806. Effect on rate base.

1 § 2801. Declaration of policy.

2 The General Assembly finds and declares that it is the policy  
3 of this Commonwealth to further regulate electric utilities to  
4 protect the health and safety of the citizens of this  
5 Commonwealth from the effects of exposure to electric magnetic  
6 fields and to provide compensation for property owners along the  
7 right-of-way of electric transmission lines for the loss of  
8 property value due to the presence of electric transmission  
9 lines.

10 § 2802. Definitions.

11 The following words and phrases when used in this chapter  
12 shall have the meanings given to them in this section unless the  
13 context clearly indicates otherwise:

14 "Department." The Department of Health of the Commonwealth.

15 "Electric transmission line." Any electric supply line with  
16 a design voltage greater than 100,000 volts.

17 § 2803. Tax payments.

18 (a) General rule.--The owner of an electric transmission  
19 line shall pay, during the operational life of the transmission  
20 line, the school district and municipal property taxes for  
21 individuals whose primary residence is within 1320 feet of the  
22 center line of the transmission line right-of-way.

23 (b) Proration of tax payments.--Payments under this section  
24 shall be prorated based on the assessed value of property  
25 located within one-half mile of the electric transmission line.

26 (c) Definition.--As used in this section, the term "primary  
27 residence" means the property in which an individual resides for  
28 at least nine months of each year.

29 § 2804. Property purchase program.

30 (a) Program description.--The owner of an electric

1 transmission line shall establish and implement a property  
2 purchase program for any landowner whose real property is  
3 located within 500 feet of the center line of the transmission  
4 line right-of-way. The property purchase program shall guarantee  
5 the sale of a landowner's property or the purchase of the  
6 property by the owner of the electric transmission line at  
7 property values immediately prior to the date application was  
8 made to the commission for a certificate of public convenience,  
9 plus payment for any subsequent improvements made since that  
10 date.

11 (b) Length of program.--The property purchase program shall  
12 be in effect for a two-year period which shall begin on the date  
13 of issuance of the certificate of public convenience by the  
14 commission.

15 § 2805. Public health survey.

16 (a) Survey data.--Prior to the energizing of an electric  
17 transmission line and every three years thereafter, the owner or  
18 operator of the electric transmission line shall provide updated  
19 information for a public health survey related to cancer, birth  
20 defects and such other disease rates as the department may  
21 require, for the population within a one-mile radius of the  
22 electric transmission line. All data shall be provided to any  
23 requesting individual with a full explanation of the results and  
24 copies made available to any affected municipality and the  
25 department.

26 (b) Role of department.--Any health tests done, other than  
27 health tests done in conjunction with subsection (a), shall also  
28 be made available to the public, subject to the approval of the  
29 department. The department or its designee shall conduct the  
30 public health survey required by this section, and the owner of

1 the electric transmission line shall compensate the department  
2 for the actual costs of that survey. The department shall retain  
3 copies of all records provided to it.

4 § 2806. Effect on rate base.

5 If the energy transmitted by an electric transmission line is  
6 derived from excess generating capacity beyond what is needed  
7 for use by the customers in the generating area, then the costs  
8 of compliance with this chapter shall not be added to the  
9 electric transmission line owner's or operator's rate base.

10 Section 2. This act shall take effect immediately.